

PLANNING AND ZONING DEPARTMENT

QUARTERLY REPORT: OCTOBER 1, 2005 – DECEMBER 31, 2005

The Planning and Zoning Commission met ten times this quarter, including five times in November and two times in December. A number of these were special meetings to address the increased workload.

Permits by type this quarter:

Business Site Plan: 4 granted; 1 amendment approved
Coastal Site Plan Review: 4 granted; 1 withdrawn
Flood Damage Prevention: 2 granted; 1 withdrawn
Land Filling/Excavation: 2 approved
Special Permit: 3 granted; 1 amendment approved
Subdivision: 2 applications approved; and 1 application denied
Section 8-26a: 1 withdrawn

Total Number of Projects*: 16 applications and 2 amendments

*Total number of projects does not equal number of permits, because some applications include multiple permits.

Two two-lot subdivisions were approved in November, as was a replacement for part of the Ox Ridge Hunt Club stable.

Downtown construction activity and related improvements continue. This quarter, the Commission approved outdoor dining in front of the Sugar Bowl; a new building adjacent to the Darien Playhouse replacing the existing Vantage Travel building; new Subway in the space formerly occupied by Baskin-Robbins.

The Commission opened the public hearing on the Nearwater Lane affordable housing application on November 1, 2005, and had a “full house” in the Auditorium. The hearing was continued to November 29th and again to December 6th, December 14th and January 10, 2006. Thus far, over twelve hours of testimony have been received. The Commission will start deliberations on this matter once the public hearing has been closed.

The draft of the entire Town Plan of Conservation & Development was completed in November and sent to the printer. It was officially referred out, and a public hearing on this matter has been scheduled for January 24, 2006. It was also put on the Darien web site, and is the subject of a Darien Library weblog.

The Zoning Board of Appeals (ZBA) met four times this period. At those meetings, they acted upon a total of nineteen applications—three in October, ten in November and six in December. Of those, nine were granted; three granted in part/denied in part; five denied and two withdrawn.

The Environmental Protection Commission met once in October, twice in November and one time in December. Overall, 22 applications and four amendments were reviewed and acted upon—of the 22 applications, 21 were approved and one denied. A new member, Craig Flaherty, was appointed by the Board of Selectmen in October to replace long-time member Nina Miller. The EPC will face a heavy workload next quarter, with three meetings currently scheduled in January 2006.

The Architectural Review Board had three meetings this period. At those meetings, a total of nine applications were processed. This includes signage for the DCA Boutique, WishList and Subway.

The number of Zoning Permits continues to increase—641 were acted upon this calendar year. In one day in November, staff reviewed and approved 24 Permits. There were more Zoning Permits issued in 2005 than in any year in the Town's history, and more Zoning Permits issued in this October to December quarter than at any time in the past ten years. Overall, Zoning Permit activity was up 4.7 percent over last year. This quarter, fifteen new single-family residences were approved and ten swimming pools. Two of the new residences were on vacant lots.

Nancy Sarner continues to do GIS contract work for the Town on an as-needed basis. This relationship has been very successful, and a number of projects for various Town Departments have been completed. These include:

- Sales Maps for the Assessor
- Revised Assessor Maps for both the Assessor and Planning and Zoning Department
- Labels to assist the Selectmen's office in a mailing regarding snow shoveling of sidewalks
- Mapping for a submitted SWRPA grant proposal
- Salt Route mapping for the Public Works Department
- Mapping for the Fire Marshal relative to analyzing the possibility of fireworks at the High School

Litigation

Significant staff time was spent this quarter in an effort to resolve a number of legal matters. We are very pleased to report that our efforts have paid off, and the following eight (8) cases were either settled or withdrawn, with the Planning and Zoning Commission and the Zoning Board of Appeals each holding Executive Sessions with Town Counsel in October to discuss and review these matters. We expect that the first quarter of 2006 will also bring significant progress in resolving matters which are now in litigation.

Curtis v. Darien Zoning Board of Appeals

Durkovic v. Darien Zoning Board of Appeals

Santos-Buch & Ferrero v. Darien Zoning Board of Appeals et. al.

Gaffney v. Darien Planning & Zoning Commission & 1918 Post Road Associates, et. al.

Gaffney v. Darien Zoning Board of Appeals & 1918 Post Road Associates, et. al.

Mills v. Darien Planning & Zoning Commission

Kirmar Investments, Inc. v. Darien Planning & Zoning Commission

Kirmar Investments, Inc. v. Darien Zoning Board of Appeals

Land Use Software

The implementation of the new CityView software continues on schedule. A prototype was submitted for the Department's review in mid-December, and we expect delivery of the final product in late January or early February. A series of February training dates have been scheduled, and we still expect to "go live" in late March.

Personnel

In October, our lead candidate for the Environmental Protection Officer position within the Planning and Zoning Department turned down our offer. We then revised the job notice and re-advertised with a closing date of late November. Three excellent candidates were interviewed, and an offer made in late December.